

### **REMARKS**

This paper is responsive to the Office Action mailed May 10, 2010. This Response addresses each of the issues raised by the examiner in the Office Action. Accordingly reconsideration is respectfully requested.

#### ***Status of the Claims***

Claims 1-17, 20, 22-30 and 32-34 are pending in this application. Claims 1, 20, 26 and 30 are independent claims. Claims 1-17, 20, 22-30 and 32-34 have been rejected under §103 as being obvious over the combination of Meyer, Van Dort, Silver, Matrix Vision and Guha. Applicant addresses these rejections in view of the declaration under rule 1.131 and accompanying evidence submitted herewith, which establishes invention prior to the effective date of the Guha reference.

#### ***Declaration under 37 C.F.R. 1.131***

Applicant submits herewith a declaration under rule 1.131 to swear behind the Guha reference by establishing prior invention. The Guha reference is relied upon for teaching claimed subject matter in each independent claim. The effective date of the Guha reference is its filing date of February 9, 2001. Applicant submits with the declaration proof of invention at least by October 6, 2000, which is prior to the effective date of the Guha reference. Accordingly, Guha is not applicable to the claimed subject matter.

The “Link function” described and shown in the evidence, which was created on October 6, 2000, submitted herewith, is the link function that is now claimed and described in the application. The declaration accompanied herewith supports conception of the link function and a date of earlier invention by applicant.

It is accordingly respectfully requested that applicant be afforded opportunity to swear behind the Guha reference on the basis of prior invention. Accordingly, the claims should be in allowable condition because the Guha reference is ineffective as applied to the claims.

The claims should now be in condition for allowance with each of the objections and/or rejections being addressed or traversed. Accordingly applicant respectfully requests the examiner to issue a Notice of Allowance at the earliest possible date.

Should any unresolved issues remain that require further attention, it is respectfully requested that the Examiner telephone the undersigned attorney for applicant at 603-336-3026 so that such issues may be resolved as expeditiously as possible.

Please charge any fee or fee deficiency that is otherwise unpaid to Deposit Account Number 504479.

Respectfully Submitted,



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